

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

DAVID LYNN CARPENTER,	§	
	§	
Petitioner,	§	
	§	
v.	§	
	§	NO. 3:02-CV-1145-B
LORIE DAVIS, Director	§	
Texas Department of Criminal Justice,	§	(Death Penalty Case)
Correctional Institutions Division	§	
	§	
Respondent.	§	


**ORDER ACCEPTING THE RECOMMENDATION OF THE UNITED STATES**  
**MAGISTRATE JUDGE**

On August 9, 2017, Petitioner David Lynn Carpenter filed his Motion for Payment for Expert Services pursuant to 18 U.S.C. § 3599(f). Doc. 172. In light of the impending evidentiary hearing and the lack of response to Petitioner's attempt to confer with Respondent regarding the Motion, Magistrate Judge Renee Harris Toliver shortened the time for Respondent to file a response to Petitioner's Motion. Doc. 173. The following day, Respondent filed a Notice that it takes "no position" on the Motion. Doc. 176. Therefore, on August 17, 2017, Judge Toliver found that the requested funding was reasonable and necessary for Petitioner to present his claims at the evidentiary hearing presently scheduled for October 10, 2017, and recommended that this Court grant Petitioner's Motion. Doc. 177.

Therefore, having considered the Motion, the law, and the Magistrate's recommendation, and in light of Respondent taking no position on the Motion, the Court **ACCEPTS** and **ADOPTS** the Magistrate's Recommendation (Doc. 177) and **GRANTS** Petitioner's Motion for Payment for Expert Services (Doc. 172) in an amount up to \$7,500.00.

SO ORDERED.

SIGNED: August 18, 2017.



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JANE J. BOYLE  
UNITED STATES DISTRICT JUDGE